



Montgomery County, Maryland

COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850
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This meeting will be televised live on Channel 6; repeated on 5/2/03 at 8 pm and 5/3/03 at 9 am

Tuesday, April 29, 2003

8:30 **INTERVIEW** - County Executive's Appointee as Director, Office of Management and Budget: Beverley K. Swaim-Staley (*6th floor Council Conference Room*) (Ferber)

9:00 **INVOCATION** - J. Edward Scholz, Church of Jesus Christ of Latter Day Saints

9:05 **PRESENTATION** to Montgomery County Alumnae Chapter of Delta Sigma Theta Sorority, Inc. in recognition of Delta Youth Day in Montgomery County by Councilmember Silverman

9:10 **PRESENTATION** recognizing Volunteer Recognition Week by Councilmember Floreen

9:15 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: March 31, April 7, 8 and 9, 2003 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (McGuire)

(2) 9:20 **CONSENT CALENDAR**

A. **Introduction** - Supplemental Appropriation to the MCPS FY03 Operating Budget, Real Estate Management Fund - \$263,318 (Source: Other - Enterprise Fund Retained Earnings) (Levchenko)

Public Hearing is scheduled for 6/3/03 at 1:30 pm.

B. **Action** - Supplemental Appropriation to County Government's FY03 Operating Budget, Department of Fire and Rescue Service - \$250,820 for Assistance to Firefighters Grant Program (Source: Federal Grant) (Davidson)

PS Committee recommendation will be available on 4/28/03.

C. **Action** - Supplemental Appropriation to County Government's FY03 Operating Budget, Department of Police - \$125,000 for U.S. Department of Justice, COPS Training and Technical Assistance Award (Source: Department of Justice Federal Grant) (McMillan)

PS Committee recommends approval.



(2) 9:20 **CONSENT CALENDAR** *(continued)*

- D. **Action** - Supplemental Appropriation to County Government's FY03 Operating Budget, Department of Police - \$4,000,000 for U.S. Department of Justice, COPS School Resource Officer Program (Source: Department of Justice Federal Grant) (McMillan)
PS Committee recommends approval.
- E. **Action** - PS/HHS Committee recommendations on OLO Report 2002-3, Services to Victims and Witnesses of Crime (Orlansky)
- F. **Action** - Resolution to authorize the issuance of general obligation refunding bonds (Sherer)
- G. **Action** - Confirmation of County Executive appointments to Partnership Board for Victims of Hate/Violence: Lawrence D. Burke, Louis W. Jones, Don L. Rondeau (Ferber)
- H. **Action** - Confirmation of County Executive appointment to Western Area Recreation Advisory Board: Rochelle P. Gershenow (Ferber)
- I. **Action** - Confirmation of County Executive appointments to Agricultural Advisory Committee: Randy Stabler, William Willard, Carl L. Holland, III, J. Keith Patton, Jr., Susan Offutt, Hall Sisson, Kenneth R. Mason (Ferber)
- J. **Action** - Confirmation of County Executive appointment to Revenue Authority: Scott Reilly (Ferber)
- K. **Action** - Confirmation of County Executive appointments to Strathmore Hall Foundation Board of Directors: Jerome Breslow, David E. Phillips (Ferber)
- L. **Action** - Confirmation of County Executive appointments to Fire and Rescue Commission: Kevin Maloney, Guy Louis Poirier, Michael T. Love (Ferber)

9:30 **LEGISLATIVE SESSION Day #13**

- A. Approval of Legislative Journal - April 8, 2003 (Edgar)
- B. Introduction of Bills
- (4) • **Bill 13-03**, Interagency Coordinating Board - Membership (Cogan)
Public Hearing is scheduled for 6/3/03 at 1:30 pm.
- (5) • **Bill 14-03**, Police - Takoma Park Substation - Rebate (Faden)
Public Hearing is scheduled for 6/3/03 at 1:30 pm.

9:35 **WORKSESSION/ACTION on the following:**

- (6) A. Compensation and Benefits (all agencies) (Farber)
MFP Committee recommendation will be available 4/28/03.
- (7) B. Indication of Council's intention regarding the actions necessary to implement the Collective Bargaining Agreement with the Fraternal Order of Police, Lodge 35 (Faden)
MFP Committee recommendation will be available 4/28/03.

10:30 **DISTRICT COUNCIL SESSION**

- (8) A. **Action** - Zoning Text Amendment 03-03, Health Club - C-T Zone (Wilson)
PHED Committee recommends approval with amendments.
- (9) B. **Action** - Zoning Text Amendment 03-05, Laboratory use - C-O Zone (Wilson)
PHED Committee recommends approval with amendments.
- (10) C. **Action** - Zoning Text Amendment 03-06, Metro Station Policy Area - Trip mitigation goals (Wilson)
PHED Committee recommendation will be available 4/28/03.
- (11) D. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
Application No: G-801
Applicant: LCOR White Flint LLC, ground lessee from Washington Metropolitan Area Transit Authority (Stephen P. Elmendorf and Nathan J. Greenbaum, Attorneys)
Request: Reclassification from the R-90 and I-1 Zones to the TS-M Zone
Property: Part of the WMATA Property, bounded by Rockville Pike, Old Georgetown Road, Nebel Street and Marinelli Road, in North Bethesda (32.42 acres; 4th Election District)
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: Approve

11:45 **RECESS** - 12:15 pm - **MFP Committee** - Interviews for Charter Review Commission - 6CCR

- (12) 1:30 **PUBLIC HEARING - Expedited Bill 12-03**, Health and Human Services - Non-Merit Positions (Faden/McGuire)
HHS Committee worksession tentatively scheduled for 5/1/03 at 9 am.

1:45 **ADJOURN**

2:00 **MFP Committee** (7th floor Council Hearing Room)

2:00 **T&E Committee** (3rd floor Council Conference Room)

The following appointment received from the County Executive is tentatively scheduled for interview on April 28, 2003 and for confirmation on May 6, 2003:
Chief, Division of Fire and Rescue Services: Thomas West Carr, Jr.

COUNCIL MEETINGS

Note: See the IN COMMITTEE for a listing of the Committee meetings currently scheduled.

May 5 - 15, 2003	9:00 a.m.	Council Budget Worksessions
May 5, 2003	1:00 p.m.	MFP Interviews - Charter Review Commission
May 6, 2003	8:30 a.m.	Regular Session & Council Budget Worksession
May 6, 2003	2:00 p.m.	PS Interview - Division of Fire and Rescue Services
May 8, 2003	3:00 p.m.	BiCounty Budget Meeting with PG's County Council - Rockville
May 22, 2003	9:30 a.m.	Action - CIP, Capital, and Operating Budgets
June 3, 2003	9:00 a.m.	Regular Session
June 10, 2003	9:00 a.m.	Regular Session
June 17, 2003	9:00 a.m.	Regular Session
June 24, 2003	9:00 a.m.	Regular Session

Public Hearings - To Testify call 240-777-7931

April 28, 2003

7:00 pm	Constant Yield Tax Rate (CYTR)
7:00 pm	Resolution to increase County Income Tax Rate
7:00 pm	Resolution to establish FY04 Water Quality Protection Charge
7:00 pm	Resolution to establish FY04 Solid Waste Service Charges
7:00 pm	Resolution to change Board of Appeals' Special Exception Filing Fees
7:00 pm	Resolution to change OZAH Local Map Amendment Fee Schedule
7:00 pm	Resolution to change the rate of the Special Exception Administration Fee
7:00 pm	Bill 9 -03, Development Impact Tax - School Facilities
7:00 pm	Bill 11-03, Taxes - Excise - Video Rental and Sale
7:00 pm	Resolution to change rates of Fuel/Energy Tax
7:00 pm	Resolution to change rates of Telephone Tax
7:00 pm	Resolution to change rates of Development Impact Tax

April 29, 2003

1:30 pm	Expedited Bill 12-03, Health and Human Services - Non-Merit Positions
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June 3, 2003

1:30 pm	Rustic Roads Functional Master Plan (see April 8, 2003 agenda)
1:30 pm	Bill 13-03, Interagency Coordinating Board - Membership
1:30 pm	Bill 14-03, Police - Takoma Park Substation - Rebate
1:30 pm	Supplemental Appropriation to the MCPS FY03 Operating Budget - \$263,318 for the Real Estate Management Fund



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